

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STEVE CHADWICK-EL

*

Plaintiff

*

v

*

Civil Action No. RDB-09-3330

SHIRLEY WATTS

*

Defendant

*

MEMORANDUM OPINION

The above-captioned complaint was filed together with a Motion to Proceed In Forma Pauperis on December 14, 2009. Because Plaintiff appears to be indigent, the Motion shall be granted.

Plaintiff claims Defendant, the Honorable Shirley Watts of the Circuit Court for Baltimore City, showed “gender bias” during the sentencing phase of his criminal trial. The alleged bias occurred when Judge Watts stated that Plaintiff’s crimes were “against women” before imposing “the maximum penalty.” Paper No. 1. He seeks \$100,000 in punitive damages. *Id.*

A claim for damages against a judge for actions taken in her capacity as a judge is barred by the doctrine of judicial immunity. *See Forrester v. White*, 484 U.S. 219, 226– 27 (1988). The complaint must be dismissed for failure to state a claim upon which relief may be granted.

Plaintiff is reminded that under 28 U.S.C. §1915(g) he will not be granted *in forma pauperis* status if he has “on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted,

unless the prisoner is under imminent danger of serious physical injury". The instant case will be the second filed by Plaintiff that has been dismissed as frivolous. *See Chadwick-El, Steve v. Titus*, Civil Action No. RDB-09-2662 (D. Md. 2009). A separate Order follows.

January 6, 2010

Date

/s/

RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE